

Christopher Canter

From: Jonathan S. Marashlian [jsm@thlglaw.com]
Sent: Tuesday, March 13, 2007 10:47 AM
To: 'murrays@madisonriver.net'
Subject: FW: Billing Disputes

Steve –

How've you been? Sorry to reappear only when I have bad news – guess that comes with the territory of being a lawyer, unfortunately.

I'm not sure if you've been looped in on the recent goings on between BitWise and Gallatin River, but it seems like there's a disconnect once again. I'm not sure if the disconnect is intentional or merely negligent, but it just seems GRC can't deal with the fact its actions must be governed by the Contract it signed and filed with the state. If GRC is going to suspend ordering, it can't suspend and send a letter after the fact. If GRC is going to suspend for non-payment of undisputed charges, it can't then suspend when undisputed charges are paid and other amounts are properly disputed. If GRC is going to issue credits, it needs to issue credits the same manner it issues invoices, they must be detailed so that BitWise knows what the hell it's being credited for. How many violations of the interconnection agreement have to occur? I should have followed through with our formal complaint to the ICC a long time ago, but somehow you always had a way of talking me off the ledge. But this is too systematic and there doesn't seem to be any light at the end of the tunnel.

If you aren't familiar with the facts, can you please look into this ASAP? Otherwise, I'll have nowhere else to go and must turn to the agency with oversight of our clients' Contract. If GRC won't listen to you, then maybe it needs to be slapped around a bit by the government. Not exactly the publicity it wants as its parent wends its way through a merger.

There's a fairly simple and straightforward request that's been on the table for months. It is to provide BitWise with an explanation and accounting of the credit. In the meantime, let's make sure ordering suspension is lifted pending my client's receipt of the notice required by the ICA.

Thanks for your immediate attention to this matter.

Jonathan

From: Michael Shuler [mailto:mike@omnilec.com]
Sent: Tuesday, March 13, 2007 9:45 AM
To: 'Jonathan S. Marashlian'
Subject: FW: Billing Disputes

Now doesn't it seem weird that they suspend my ordering after I pay them \$8K and dispute the rest of the bill but don't send me a written notice until at least a week afterwards? Last time I checked if I am disputing the remaining amount of the amount owed they have no legal right to suspend my ordering, right?

Michael Shuler, C.E.O.
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6/24/2007

Customer Service: (877) NEW-OMNI

From: Karen Lewis [mailto:lewisk@gallatinriver.com]
Sent: Tuesday, March 13, 2007 7:38 AM
To: 'Michael Shuler'
Subject: RE: Billing Disputes

You should have or will receive a letter.

-----Original Message-----

From: Michael Shuler [mailto:mike@omnilec.com]
Sent: Monday, March 12, 2007 5:48 PM
To: 'Karen Lewis'
Subject: RE: Billing Disputes

Can I get in writing that you are suspending our ordering?

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From: Karen Lewis [mailto:lewisk@gallatinriver.com]
Sent: Monday, March 12, 2007 11:55 AM
To: 'Michael Shuler'
Subject: RE: Billing Disputes

Wednesday's fine. But how about 10:00? Thanks!

-----Original Message-----

From: Michael Shuler [mailto:mike@omnilec.com]
Sent: Friday, March 09, 2007 5:37 PM
To: 'Karen Lewis'
Subject: RE: Billing Disputes

I have someone coming in from out of town on Tuesday. How about Wed. at 9:00?

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From: Karen Lewis [mailto:lewisk@gallatinriver.com]
Sent: Friday, March 09, 2007 7:59 AM
To: 'Michael Shuler'; Karen Lewis
Subject: RE: Billing Disputes

Mike,

Per our conversation, we can meet Tuesday, March 14th and 9:00 am. Please let me know if there is any problems.

Thanks,
Karen

-----Original Message-----

From: Michael Shuler [mailto:mike@omnilec.com]
Sent: Thursday, March 08, 2007 2:46 PM
To: lewisk@gallatinriver.com
Subject: Billing Disputes

Karen -

I have asked several times for a breakout of the credit of \$10,410.37 that GRC applied to our account on the Jan 25th invoice numbered 4019582. It states that it was applied to only invoice 3912892. However, as I've explained, I have no way of knowing what invoices this credit is truly for and what line items within each invoice the credit is applied to. This is totally inconsistent with the billing procedures set forth in our Interconnection Agreement and probably a violation of the FCC's Truth-in-Billing regulations. Without an "itemized" breakdown not only of invoiced charges, but credits as well, BitWise is harmed. It also makes it virtually impossible on a go-forward basis to deal with current or future invoiced charges which may or may not be subject to dispute and credit. Basically, I must be provided the ability to maintain and audit my books and GRC is denying me this fundamental ability. See section 8.1 of our interconnection agreement.

Bottom line is that, without the detail, I can't agree or confirm that the credit applied is accurate, nor can I confirm that our current balance or the interest charges applied to it each month are valid. I am very willing to sit down together in Pekin and go over all of our bills line by line until we both can come to an agreement on what we truly owe and settle this once and for all.

Please let me know when you can make time to do this. If you can't find the time or if management refuses to authorize you to resolve this in a manner consistent with our contractual agreement and the requirements of the federal and Illinois Telecommunications laws, then I'll make sure my attorney gets in touch with the appropriate parties. As much as I want this problem to go away for both of our benefits, I can't unless GRC honors its duty to bill accurately and in itemized detail.

I look forward to hearing from you ASAP.

Michael Shuler, C.E.O.

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